

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Bobby Joe Reid, Jr., #133977-176,	)	Civil Action No. 6:17-2695-BHH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER AND OPINION</b>
Knox White,	)	
Letitia H. Verdin,	)	
Edward W. Miller,	)	
Henry J. Mimms,	)	
Robert F. Simms,	)	
Kirsten Pressley,	)	
Terri Murray,	)	
Carroll B. Reynolds,	)	
Daniel Hughes,	)	
W. Walter Wilkins,	)	
Candace F. Clark,	)	
James E. Hudson,	)	
John Vandermosten,	)	
Bob Taylor,	)	
Butch Kirven,	)	
Joseph Kernell,	)	
R. Isreal Hollister,	)	
Marshall Stowers,	)	
Scotty Bodiford,	)	
Joseph M. Etris,	)	
Mandy Mathis,	)	
Dana Lewis,	)	
Jinny Moran,	)	
Victor C. Pyle, Jr.,	)	
Howard Steinberg,	)	
Walt Kramer,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Bobby Joe Reid, Jr. ("Plaintiff"), proceeding *pro se* brought this civil action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina, this matter was referred to United States Magistrate Judge Kevin F. McDonald for pretrial handling. The matter is now before this Court for review of the Report and Recommendation ("Report") issued by the

Magistrate Judge on February 16, 2018. (ECF No. 28.) In his Report, the Magistrate Judge recommends that the case be dismissed without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. Objections to the Report were due by March 5, 2018. Neither Defendants nor Plaintiff have filed any Objections.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a careful review of the record, the applicable law, and the Report of the Magistrate Judge, the Court adopts the Report. It is therefore

**ORDERED** that this action is DISMISSED *without prejudice* for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks  
United States District Judge

March 20, 2018  
Greenville, South Carolina

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### **NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.